

HOUSE BILL NO. 551

INTRODUCED BY A. BECKER

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A BILL FOR AN ACT ENTITLED: "AN ACT SPECIFYING THE MAXIMUM PERIOD OF DAYS FOR WHICH A COUNTY MAY BE BILLED FOR THE COSTS OF PRECOMMITMENT PSYCHIATRIC DETENTION, EXAMINATION, AND TREATMENT; AMENDING SECTION 53-21-132, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 53-21-132, MCA, is amended to read:

"53-21-132. Cost of examination and commitment. (1) The cost of psychiatric precommitment examination, detention, treatment, and taking a person who is suffering from a mental disorder and who requires commitment to a mental health facility must be paid pursuant to subsection (2)(a). The sheriff must be allowed the actual expenses incurred in taking a committed person to the facility, as provided by 7-32-2144.

(2) (a) The costs of precommitment psychiatric detention, precommitment psychiatric examination, and precommitment psychiatric treatment of the respondent and any cost associated with testimony during an involuntary commitment proceeding by a professional person acting pursuant to 53-21-123 must be billed to the following entities in the listed order of priority:

(i) the respondent, the parent or guardian of a respondent who is a minor, or the respondent's private insurance carrier, if any;

(ii) a public assistance program, such as medicaid, for a qualifying respondent; or

(iii) the county of residence of the respondent in an amount not to exceed the amount paid for the service by a public assistance program.

(b) (i) The county of residence may be billed for a maximum of 6 days of precommitment psychiatric detention, precommitment psychiatric examination, or precommitment psychiatric treatment for a commitment proceeding for the respondent.

(ii) If a respondent is held for a precommitment examination that exceeds the time period for which the county is required to pay under this subsection (2)(b), the professional person conducting the precommitment examination shall ask the county attorney to approve an extension of the time period.

